

**BOARD OF LICENSING OF AUCTIONEERS
BOARD MEETING MINUTES
February 4, 2004**

MEMBERS PRESENT

Raymond Williams
James Keating
Roger Chesley (left at 1:35 pm)
William Macomber
Edward Leary

OTHERS PRESENT

Carol Leighton, Administrator
Debbie Fales, Licensing Clerk
Susan Greenlaw, Board Clerk
Dennis Smith, Assistant Attorney General

MEMBERS ABSENT

Location: Androscoggin Room

Start: 9:00 a.m.

Adjourn: 4:25 p.m.

CALL TO ORDER

The meeting was called to order at 9:00 a.m.

AGENDA MODIFICATIONS

Members agreed to add the following to the agenda:

- Agricultural permits for animal auctions
- Complaints against licensee – flag for non-renewal

OLD BUSINESS

Action on Minutes of December 3, 2003 Meeting

A motion was made by Roger Chesley and seconded by Edward Leary to approve the minutes of the December 3, 2003 meeting as written. Unanimous.

NEW BUSINESS

Election of Officers

A motion was made by Roger Chesley and seconded by Edward Leary to elect Raymond Williams as Chair and James Keating as Complaint Officer for 2004. Unanimous.

Administrators Report

Nothing to report.

Adjudicatory Hearing re: Richard W. Oliver (license denial)

The hearing in the matter of Richard W. Oliver opened at 9:40 a.m. Mr. Oliver was present and represented by Attorney Richard P. Sullivan. Assistant Attorney General Dennis Smith represented the State in this matter. The Presiding Officer was James Smith. Public

deliberations were conducted at the close of the hearing. A motion was made by William Macomber and seconded by Roger Chesley to uphold the denial of Mr. Oliver's application for licensure. Unanimous.

Adjudicatory Hearing re: Audrey Street (#AUC-168) – continued from December 3, 2003

The hearing in the matter of Audrey Street opened at 1:40 p.m. Ms. Street was present and represented by Attorney Dyer. Assistant Attorney General Dennis Smith represented the State in this matter. The Presiding Officer was James Smith. Public deliberations were conducted at the close of the hearing.

A motion was made by William Macomber and seconded by Edward Leary to find the licensee in violation of 32 M.R.S.A. §298 and to include the following in the Decision & Order: (1) Letter of warning; (2) licensee shall pay a fine in the amount of \$150.00; and (3) licensee shall pay for costs associated with the hearing. Leary, Macomber, and Williams voted in the affirmative; none opposed; Keating, as Complaint Officer, abstained. Motion carried.

A motion was made by Edward Leary and seconded by William Macomber to find the licensee in violation of 32 M.R.S.A. §291(1)(B) and to include the following in the Decision & Order: (1) Letter of warning; (2) licensee shall pay a fine in the amount of \$150.00; (3) licensee shall pay for costs associated with the hearing. Leary, Macomber, and Williams voted in the affirmative; none opposed; Keating, as Complaint Officer, abstained. Motion carried.

The Board authorized the Chair to review and sign the Decision and Order.

Complaint Officer's Report

Nothing to report.

Examination Results

January 14, 2004: Two individuals took the exam; one received a passing score and one failed the exam. The next examination is scheduled for March 17, 2004.

Review and Action on Applications

Nothing to review.

Correspondence

Nothing to review.

Next meeting scheduled for April 7, 2004

OTHER BUSINESS

The Board discussed Department of Agriculture permits for livestock auctions. Board member Edward Leary indicated difficulties in complying with the rules of these permits.

The Board was informed that the Office of Licensing and Registration has received several complaints regarding a licensed auctioneer. A motion was made by Roger Chesley and seconded by Edward Leary to flag this licensee's file for non-renewal. Unanimous.

ADJOURN

There being no other business, the meeting adjourned at 4:25 p.m.

Respectfully submitted,

Susan Greenlaw
Board Clerk